

**SUPREME COURT MINUTES  
WEDNESDAY, FEBRUARY 13, 2001  
SAN FRANCISCO, CALIFORNIA**

S102965      The People, Plaintiff and Respondent

4th Dist.      v.

E027589      Henry James Holmes, Defendant and Appellant

Div. 2      Petition for review GRANTED.

The issues to be briefed and argued shall be limited to whether the trial court failed to establish a sufficient factual basis for defendant's plea, as required by Penal Code section 1192.5.

George, C.J.

Werdegar, J.

Chin, J.

Brown, J.

Moreno, J.

S103022      In re Robert B., a Person Coming Under the Juvenile Court Law

4th Dist.      -----

G027680      The People, Plaintiff and Respondent

Div. 3      v.

Robert B., Defendant and Appellant

Petition for review GRANTED.

The issues to be briefed and argued shall be limited to whether possession of chips from ceramic spark plugs violated Penal Code section 466, contrary to the holding in *People v. Gordon* (2001) 90 Cal.App.4th 1409.

George, C.J.

Kennard, J.

Baxter, J.

Werdegar, J.

Chin, J.

Brown, J.

Moreno, J.

S103084      The People, Plaintiff and Respondent  
2nd Dist.      v.  
B141201      Rodney Damon Reliford, Defendant and Appellant  
Div. 4      Petitions for review GRANTED.  
For purposes of briefing and argument, respondent is deemed  
petitioner to this court.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Moreno, J.

S103132      In re Erik A., a Person Coming Under the Juvenile Court Law  
5th Dist.      -----  
F037575      The People, Plaintiff and Respondent  
v.  
Erik A., Defendant and Appellant  
Petition for review GRANTED.  
Further action in this matter is deferred pending consideration  
and disposition of a related issue in *In re Robert L.*, S100359 (see  
Cal. Rules of Court, rule 29.2(c)), or pending further order of the  
court. Submission of additional briefing, pursuant to California  
Rules of Court, rule 29.3, is deferred pending further order of the  
court.

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.  
Moreno, J.

S103487 Department of Health Services, Petitioner  
3rd Dist. v.  
C034163 Sacramento County Superior Court, Respondent  
Theresa V. McGinnis, Real Party in Interest  
Petition for review GRANTED.

George, C.J.  
Kennard, J.  
Baxter, J.  
Chin, J.  
Brown, J.

4th Dist. The People, Plaintiff and Respondent  
D034892 v.  
D036183 David Munoz, Defendant and Appellant  
Div. 1 Petition for review GRANTED.

The cause is transferred to the Court of Appeal, Fourth Appellate District, Division One, with directions to vacate its decision and to reconsider the cause in light of *Kansas v. Crane* (Jan. 22, 2002, No. 00-957) \_\_ U.S. \_\_ [2002 WL 75609].

George, C.J.  
Kennard, J.  
Baxter, J.  
Werdegar, J.  
Chin, J.  
Brown, J.  
Moreno, J.

S101964 Michael Viner et al., Plaintiffs ad Respondents  
2nd Dist. v.  
B138149 Charles A. Sweet et al., Defendants and Appellants  
Div. 7 Briefing and argument in this case shall be limited to the issues contained in defendants' and appellants' petition for review.

S102722      The People, Plaintiff and Respondent  
2nd Dist.      v.  
B143501      Shaun Stanistreet, Defendant and Appellant  
Div. 6      -----

The People, Plaintiff and Respondent  
v.

Barbara Joyce Atkinson, Defendant and Appellant

Briefing and argument in this case shall be limited to the question  
whether Penal Code section 148.6 is unconstitutional on its face.

S063535      In re William Arnold Proctor  
on  
Habeas Corpus

The petition for writ of habeas corpus, filed August 12, 1997, is  
denied.

All claims are denied on the merits.

All claims except claim I (cumulative error through prior habeas  
corpus petition denial), claim J (cruel and unusual punishment in  
prolonged confinement under sentence of death), claim K (cruel and  
unusual punishment in lethal injection), claim O (denial of fair  
consideration of prior habeas corpus petition), and claim P (statute in  
violation of international law) also are denied as untimely. (*In re  
Robbins* (1998) 18 Cal.4th 770, 784-815; *In re Clark* (1993) 5  
Cal.4th 750, 782-787, 797-798.) All claims except claim I, claim J,  
claim K, claim M (ineffective assistance of prior habeas corpus  
counsel), and claim O are denied as successive, because they could  
have been, but were not, raised in the first petition for writ of habeas  
corpus. (*In re Robbins, supra*, 18 Cal.4th at p. 788, fn. 9; *In re Clark,  
supra*, 5 Cal.4th at pp. 767-768.)

Claims A (juror death-qualification), C (representative jury  
venire), D (defense challenges for cause), E (prosecution peremptory  
challenges), F (admission of photographs), H (automatic motion to  
modify penalty), and P (violation of international law) are denied  
because they should have been, but were not, raised on appeal. (*In  
re Dixon* (1953) 41 Cal.2d 756, 759.)

Brown, J., would deny the petition solely on the merits.

Petitioner's request to take judicial notice of the petition for writ  
of habeas corpus and Exhibit Numbers 11 through 34 filed by the  
petitioner in *In re Fierro* (S057031) is denied.

S082898      In re Tiequon Laundry Aundray Cox  
                 on  
                 Habeas Corpus

Petitioner's request for judicial notice is granted. (Petition for Writ of Habeas Corpus at p. 30.)

The petition for writ of habeas corpus is denied on the merits.

In addition, to the extent it alleges instructional error, Claim Two is denied on the ground that it could have been, but was not, raised on appeal (*In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3, 829; *In re Dixon* (1953) 41 Cal.2d 756, 759). Claims One and Three are denied on the ground they are untimely. (See *In re Sanders, supra*, 21 Cal.4th 697, 701; *In re Clark, supra*, 5 Cal.4th 750, 783-787; see *In re Robbins* (1998) 18 Cal.4th 770, 788, fn. 9.) Furthermore, they could have been, but were not, raised in petitioner's previous petition for writ of habeas corpus. (*In re Clark, supra*, 5 Cal.4th 750, 768, 782; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547; see *In re Robbins, supra*, 18 Cal.4th 770, 788, fn. 9.)

Brown, J., would deny all claims solely on the merit

Petitioner's request for expedited ruling is denied as moot.

S102013      American Utility Network et al., Petitioners  
                 v.

California Public Utilities Commission, Respondent

The request for judicial notice filed November 9, 2001, is granted.

Petition for writ of review DENIED.

Baxter, J., Werdegar, J., and Chin, J., were recused and did not participate.

S102060      Commonwealth Energy Corporation, Petitioner  
                 v.

California Public Utilities Commission, Respondent

Philip Angelides, in his capacity as Treasurer, etc. et al.,  
Real Parties in Interest

Petition for writ of review DENIED.

Baxter, J., Werdegar, J., and Chin, J., were recused and did not participate.

S103433      In re Barbara Ann Grady  
                 on  
                 Habeas Corpus  
                 Application for stay and petition for writ of habeas corpus  
                 DENIED.

S103436      In re Barbara Ann Grady  
                 on  
                 Habeas Corpus  
                 Application for stay and petition for writ of habeas corpus  
                 DENIED.

1st Dist.      People, Respondent  
A087196      v.  
Div. 3      Malik Howse et al., Appellants  
S103443      Petition for review DENIED.

1st Dist.      In re the Marriage of Irene and Louis Drapeau  
A090032      -----  
Div. 3      Irene Conlin Drapeau, Appellant  
S102716      v.  
                 Louis Claude Drapeau, Respondent  
                 Petition for review DENIED.  
                 Kennard, J., is of the opinion the petition should be granted.  
                 The request for an order directing depublication of the opinion is  
                 denied.

1st Dist.      People, Respondent  
A091270      v.  
Div. 1      Ronald John Garnes, Jr., Appellant  
S102986      Petition for review DENIED.

1st Dist.      People, Respondent  
A091636      v.  
Div. 2      Joe Louis Lea, Appellant  
S103254      Petition for review DENIED.

1st Dist.      Sierra West Bank, Respondent  
A091861      v.  
Div. 4      Chak Wong, Appellant  
S102895      Petition for review DENIED.

1st Dist. People, Respondent  
A091909 v.  
Div. 5 Zachary Terry Harris Sr., Appellant  
S103904 Petition for review DENIED.

1st Dist. People, Respondent  
A091937 v.  
Div. 4 Salvador Rodriguez, Appellant  
S103175 Petition for review DENIED.

1st Dist. People, Respondent  
A092434 v.  
Div. 2 Frank Samuel Melonzi, Appellant  
S103271 Petition for review DENIED.

1st Dist. People, Respondent  
A092435 v.  
Div. 3 Jorge Canaca, Appellant  
S103375 Petition for review DENIED.

1st Dist. FlyingDutchman Park Inc., Appellant  
A092504 v.  
Div. 2 City and County of San Francisco, Respondent  
S103205 Petition for review DENIED.

1st Dist. People, Respondent  
A092568 v.  
Div. 5 Emmanuel McCowan, Appellant  
S103074 Petition for review DENIED.

1st Dist. In re Jamal M., a Person Coming Under the Juvenile Court Law  
A092628 -----  
Div. 3 People, Respondent  
S102739 v.  
Jamal M., Appellant  
Petition for review DENIED.

1st Dist. Lannie Staniford, Appellant  
A092635 v.  
Div. 2 Acordia Inc., et al., Respondents  
S103160 Petition for review DENIED.

1st Dist. David Mellinger, Appellant  
A092663 v.  
Div. 4 Ticor Title Insurance Company of California, Respondent  
S102891 Petition for review DENIED.

1st Dist. People, Appellant  
A093088 v.  
Div. 1 Charles D. Ilyin, Appellant  
S103404 Petition for review DENIED.

1st Dist. People, Respondent  
A094029 v.  
Div. 4 Alexander Owen Harp, Appellant  
S103372 Petition for review DENIED.

1st Dist. Jeannine Deer, Respondent  
A094288 v.  
Div. 3 Winslow C. Rouse, Appellant  
S103134 Petition for review DENIED.

1st Dist. Guardianship of Stephan F., a Minor  
A095453 -----  
Div. 1 Herman B., Petitioner and Respondent  
S103051 v.  
Stephanie M., Objector and Appellant  
And Companion Cases  
Petition for review DENIED.

1st Dist. Judge Rice, Petitioner  
A096159 v.  
Div. 4 Workers' Compensation Appeals Board, City of Oakland,  
S102396 Respondent  
Petition for review DENIED.

1st Dist. City of South San Francisco, Petitioner  
A096624 v.  
Div. 1 San Mateo County Superior Court, Respondent  
S103098 Aetna Realty et al., Real Parties in Interest  
Petition for review DENIED.



1st Dist. Joseph Ellis, Petitioner  
A096643 v.  
Div. 4 Alameda County Superior Court, Respondent  
S102785 Provident Life and Accident Insurance Company,  
Real Party in Interest  
Petition for review DENIED.

1st Dist. Wesley Evans, Petitioner  
A096644 v.  
Div. 4 Alameda County Superior Court, Respondent  
S102808 Provident Life and Accident Insurance Company,  
Real Party in Interest  
Petition for review DENIED.

2nd Dist. People, Respondent  
B118487 v.  
Div. 3 Lamont Ramon Ransfer, Appellant  
S103445 Petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. Foxgate Homeowners Association, Plaintiff and Respondent  
B124482 v.  
Div. 5 Bramalea California Incorporated, Defendant and Appellant  
S103091 Ivan K. Stevenson, Objeter and Appellant  
Petition for review DENIED.

2nd Dist. People, Respondent  
B126295 v.  
Div. 2 Steven Tyrone Miller, Appellant  
S103528 Petition for review DENIED.

2nd Dist. Bill Chavez, Appellant  
B136778 v.  
Div. 3 Whirpool Corporation et al., Respondents  
S102695 Petition for review DENIED.  
Werdegarr, J., was absent and did not participate.

2nd Dist. B137252 Div. 2 S103301	In re the Marriage of Janet Nelson Nelson and Erath Nelson ----- Janet Nelson, Respondent v. Erath Nelson, Appellant Petition for review DENIED.
2nd Dist. B138357 Div. 3 S103350	Jerry L. Rowley, Appellant v. County of Los Angeles et al., Respondents Petition for review DENIED.
2nd Dist. B138520 Div. 1 S103506	Jasmine Haddad, Appellant v. Northridge Hospital, Respondent Petition for review DENIED.
2nd Dist. B138601 Div. 2 S102888	Roll International Corporation, Respondent v. Unilever United States Corp., Appellant Petition for review DENIED.
2nd Dist. B139280 Div. 2 S103030	Nasser Sedaghat, Appellant v. Cedars Sinai Medical Center et al., Respondents Petition for review DENIED.
2nd Dist. B139753 Div. 4 S102975	People, Appellant v. Inna Gofman et al., Respondents Petitions for review DENIED.
2nd Dist. B139968 Div. 3 S103125	Gerry Mizel, Plaintiff and Respondent Shutters on the Beach, Defendant and Appellant v. City of Santa Monica, Defendant and Appellant Petition for review DENIED.

2nd Dist. J & P Riverside Hotel Corporation et al., Appellants  
B140090 v.  
Div. 2 Topdanmark (California) Inc., et al., Respondents  
S103264 Petition for review DENIED.

2nd Dist. People, Respondent  
B140334 v.  
Div. 4 Thomas Woodson, Appellant  
S103458 Petition for review DENIED.

2nd Dist. People, Respondent  
B141266 v.  
Div. 3 Francisco Ramirez, Appellant  
S102820 Petition for review DENIED.

2nd Dist. People, Respondent  
B141288 v.  
Div. 3 Aundra Dewayne Clark, Appellant  
S103352 Petition for review DENIED.

2nd Dist. People, Respondent  
B141430 v.  
Div. 4 Ruben Perez et al., Appellants  
S103491 Petitions for review DENIED.

2nd Dist. Jeri Emmett Laird, Appellant  
B141706 v.  
S103137 Aaron Spelling, Respondent  
S103137 Petition for review DENIED.  
The request for an order directing publication of the opinion in  
the above-entitled appeal is denied.

2nd Dist. Buyers Home Warranty Company, Appellant  
B142231 v.  
Div. 2 General Agents Insurance Company of America, Respondent  
S103165 Petition for review DENIED.  
The request for an order directing publication of the opinion is  
denied.  
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. B142705 Div. 4 S103371	People, Respondent v. Anthony C. Maris, Appellant Petition for review DENIED.
2nd Dist. B142771 Div. 6 S103370	People, Respondent v. Mark Anthony Pizana, Appellant Petition for review DENIED.
2nd Dist. B142915 Div. 7 S103046	People, Respondent v. Eleazar Victor Olmedo, Appellant Petition for review DENIED.
2nd Dist. B142916 Div. 1 S103503	People, Respondent v. George William Kesick, Appellant Petition for review DENIED.
2nd Dist. B142952 Div. 2 S103482	In re Ashley A., a Person Coming Under the Juvenile Court Law ----- Dept. of Children & Family Svcs. Los Angeles County, Respondent v. Ron Arnold, Appellant Petition for review DENIED.
2nd Dist. B143167 Div. 6 S103366	Kelley Becker, Appellant v. Tim Stepniack et al., Respondents Petition for review DENIED.
2nd Dist. B143426 Div. 5 S102967	Arlene Vinnick, Appellant v. Delta Airlines Inc., Respondent Petition for review DENIED.
2nd Dist. B143546 Div. 3 S103070	Dan E. Butcher, Appellant v. Dudley Gray, Respondent Petition for review DENIED.

2nd Dist. B143913 Div. 2 S103331	People, Respondent v. Rudolph Ellis, Appellant Petition for review DENIED.
2nd Dist. B143962 Div. 6 S103488	People, Respondent v. Casey Russell Henderson, Appellant Petition for review DENIED.
2nd Dist. B144156 Div. 4 S103309	People, Respondent v. Duane Crayon, Appellant Petition for review DENIED.
2nd Dist. B144273 Div. 1 S103402	People, Respondent v. William Francisco Morales, Appellant Petition for review DENIED.
2nd Dist. B144276 Div. 4 S103227	People, Respondent v. Richard Lee Pirtle et al., Appellants Petitions for review DENIED.
2nd Dist. B144404 Div. 1 S103471	People, Respondent v. Javier Vasquez, Appellant Petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.
2nd Dist. B144414 Div. 3 S103322	People, Respondent v. Frederick Kenyatta Williams, Appellant Petition for review DENIED.
2nd Dist. B144767 Div. 7 S103390	People, Respondent v. Lorris Terriel Robinson, Appellant Petition for review DENIED.

2nd Dist. In re Santos Y., a Person Coming Under the Juvenile Court Law  
B144822 -----  
Div. 2 Department of Children and Family Svcs., Plaintiff and Respondent  
S102472 v.  
Arturo G. et al., Defendants and Appellants  
Grand Portage Band of Chippewa Indians,  
Intervenors and Respondents  
Petition for review DENIED.  
The request for an order directing depublication of the opinion is  
denied.  
Kennard, J., and Moreno, J., are of the opinion the petition  
should be granted.

2nd Dist. Ariel Hershman et al., Appellants  
B145028 v.  
Div. 4 New Line Cinema Corporation et al., Respondents  
S103201 Petition for review DENIED.

2nd Dist. People, Respondent  
B145444 v.  
Div. 1 Miguel Solorio, Appellant  
S102690 Petition for review DENIED.

2nd Dist. People, Respondent  
B145496 v.  
Div. 6 Daryl D. Matthews, Appellant  
S103268 Petition for review DENIED.

2nd Dist. People, Respondent  
B145550 v.  
Div. 3 Gerald Gerold Freeman, Appellant  
S103250 Petition for review DENIED.

2nd Dist. Hilda Ozante, Appellant  
B145709 v.  
Div. 2 County of Los Angeles et al., Respondents  
S103590 Petition for review DENIED.

2nd Dist. People, Respondent  
B146091 v.  
Div. 1 Calvin R. Dent, Appellant  
S102973 Petition for review DENIED.

2nd Dist. B146309 Div. 4 S103413	People, Respondent v. Kourosh Ehtheshami, Appellant Petition for review DENIED.
2nd Dist. B146315 Div. 6 S103550	California Amplifier Inc., et al., Appellants v. RLI Insurance Company, Respondent Petition for review DENIED. Kennard, J., is of the opinion the petition should be granted. The request for an order directing depublication of the opinion is denied.
2nd Dist. B146461 Div. 6 S103305	People, Respondent v. Leonard James, Appellant Petition for review DENIED.
2nd Dist. B146634 Div. 4 S103192	People, Respondent v. Titus Graves, Appellant Petition for review DENIED.
2nd Dist. B146663 Div. 3 S103589	People, Plaintiff and Appellant v. Darrell Wheeler, Defendant and Appellant Petition for review DENIED.
2nd Dist. B146869 Div. 7 S102794	Golden Eagle Insurance Corporation, Appellant v. Rocky Cola Café Inc., et al., Respondents Petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.
2nd Dist. B146950 Div. 6 S103251	People, Respondent v. Anthony T. Ferrizz, Appellant Petition for review DENIED.

2nd Dist. People, Appellant  
B147219 v.  
Div. 5 George Henry Gage, Respondent  
S102925 Petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

2nd Dist. People, Respondent  
B147258 v.  
Div. 1 Abraham Candelario, Appellant  
S103579 Petition for review DENIED.

2nd Dist. People, Respondent  
B147370 v.  
Div. 3 Don Oliver Larry, Appellant  
S103253 Petition for review DENIED.

2nd Dist. People, Respondent  
B147533 v.  
Div. 1 Augustine H. Reyes, Appellant  
S103512 Petition for review DENIED.

2nd Dist. People, Respondent  
B148358 v.  
Div. 5 Donald L. Frison, Appellant  
S103225 Petition for review DENIED.

2nd Dist. People, Respondent  
B148426 v.  
Div. 6 Peter Zeppeiro, Appellant  
S103501 Petition for review DENIED.

2nd Dist. People, Respondent  
B148484 v.  
Div. 6 Lamar Donte Payne et al., Appellants  
S103294 Petition for review DENIED.

2nd Dist. People, Respondent  
B148875 v.  
Div. 5 Harold Lee Samuelson, Appellant  
S103459 Petition for review DENIED.



2nd Dist. People, Respondent  
B149427 v.  
Div. 5 Alfonso Aranda, Appellant  
S103317 Petition for review DENIED.

2nd Dist. People, Respondent  
B149543 v.  
Div. 5 Jerry Wayne Gillin, Appellant  
S103481 Petition for review DENIED.

2nd Dist. In re John David Frenchik  
B150160 on  
Div. 5 Habeas Corpus  
S102524 Petition for review DENIED.

2nd Dist. In re Chanell B., a Person Coming Under the Juvenile Court Law  
B150398 -----  
Div. 2 Dept. of Children & Family Svcs., Los Angeles County, Respondent  
S103237 v.  
Lester W., Appellant  
Petition for review DENIED.

2nd Dist. In re Peter Mark McKenney  
B152252 on  
Div. 6 Habeas Corpus  
S102317 Petition for review DENIED.

2nd Dist. In re Jose Murillo  
B153525 on  
Div. 1 Habeas Corpus  
S102609 Petition for review DENIED.

2nd Dist. Daniel Jiminez, Petitioner  
B154821 v.  
Div. 6 Ventura County Superior Court, Respondent  
S103494 People, Real Party in Interest  
Petition for review DENIED.

2nd Dist. Joann Chiles, Petitioner  
B154920 v.  
Div. 5 Los Angeles County Superior Court, Respondent  
S103315 Gary C. Chiles, Real Party in Interest  
Application for stay and petition for review DENIED.

2nd Dist. Clay Roberts, Petitioner  
B155332 v.  
Div. 4 Los Angeles County Superior Court, Respondent  
S103447 People, Real Party in Interest  
Petition for review DENIED.

3rd Dist. People, Respondent  
C027664 v.  
S103191 Leslie Gene Rhoades, Appellant  
Petition for review DENIED.

3rd Dist. People, Respondent  
C29748 v.  
S103252 Ruben Maestas, Appellant  
Petition for review DENIED.

3rd Dist. David B. Coward, Appellant  
C030954 v.  
S103570 Steven Bertino et al., Respondents  
Petition for review DENIED.

3rd Dist. Arden Carmichael Inc. et al., Appellants  
C031367 v.  
S102466 County of Sacramento, Respondent  
Petition for review DENIED.  
The request for an order directing further publication of the  
opinion is denied.

3rd Dist. People, Respondent  
C032060 v.  
S103515 Christopher Dean Dibble, Appellant  
Petition for review DENIED.

3rd Dist. C033582 S102833	People, Respondent v. Robert Raymond Wright, Appellant Petition for review DENIED.
3rd Dist. C034711 S103097	People, Respondent v. Raymond John Santos, Jr., Appellant Petition for review DENIED.
3rd Dist. C035278 S103103	People, Respondent v. Jimmy Renay Thomas, Appellant Petition for review DENIED.
3rd Dist. C035876 S103500	People, Respondent v. Gaylord Gibson Birch III, Appellant Petition for review DENIED.
3rd Dist. C036009 S103440	People, Respondent v. Barry Rial Storey, Appellant Petition for review DENIED.
3rd Dist. C036124 S103664	Veronica Pearson, Appellant v. Donna Kaye Stone, Respondent Petition for review DENIED.
3rd Dist. C036348 S103483	People, Respondent v. Wade Felix Thornton et al., Appellants Petition for review DENIED.
3rd Dist. C036520 S103248	People, Respondent v. John Arthur Edsall, Appellant Petition for review DENIED.

3rd Dist. C036587 S103374	People, Respondent v. Phillip Schexnayder, Appellant Petition for review DENIED.
3rd Dist. C036961 S103245	People, Respondent v. Kwaheri Morris Rowland, Appellant Petition for review DENIED.
3rd Dist. C037145 S103423	People, Respondent v. Kenneth Deshaun Smith, Appellant Petition for review DENIED.
3rd Dist. C037194 S103338	People, Respondent v. Albert Byron Munson, Appellant Petition for review DENIED.
3rd Dist. C037611 S103622	Evan English, Appellant v. Ikon Business Solutions Inc., Respondent Petition for review DENIED. Kennard, J., is of the opinion the petition should be granted.
3rd Dist. C037763 S103378	People, Respondent v. Pimnunihus Itspihun Cename, Appellant Petition for review DENIED.
3rd Dist. C039953 S103241	In re Alonzo Reed on Habeas Corpus Petition for review DENIED.
4th Dist. D033446 Div. 1 S103017	People, Respondent v. Daniel Rodrick, Appellant Petition for review DENIED.

4th Dist. D034402 Div. 1 S103321	In re the Marriage of Thomas D. and Ellen A. Ricotta ----- Thomas D. Ricotta, Appellant v. Ellen A. Ricotta, Respondent Petition for review DENIED.
4th Dist. D034701 D036624 Div. 1 S103118	In re the Marriage of Mark S. and Cynthia Hodges ----- Frank Reed, as Executor, etc., Respondent v. Cynthia L. Hodges, Appellant Petitions for review DENIED.
4th Dist. D035246 Div. 1 S102937	People, Respondent v. Allen Walter Trice, Appellant Petition for review DENIED.
4th Dist. D035848 Div. 1 S103541	People, Respondent v. Douglas Crenshaw, Appellant Petition for review DENIED.
4th Dist. D036063 Div. 1 S103421	People, Respondent v. Phillip Silva, Appellant Petition for review DENIED.
4th Dist. D036213 Div. 1 S103477	People, Respondent v. Rae-Yuen Liu, Appellant Petition for review DENIED.
4th Dist. D036220 Div. 1 S103129	People, Respondent v. Jose Garcia, Appellant Petition for review DENIED.

4th Dist. People, Respondent  
D036263 v.  
Div. 1 Ernest Lee Buchanan, Appellant  
S103520 Petition for review DENIED.

4th Dist. People, Respondent  
D036359 v.  
Div. 1 Brenda Kelson, Appellant  
S103292 Petition for review DENIED.

4th Dist. People, Respondent  
D036545 v.  
Div. 1 Michael France, Appellant  
S103466 Petition for review DENIED.

4th Dist. In re Raymundo M., a Person Coming Under the Juvenile Court Law  
D036760 -----  
Div. 1 People, Respondent  
S103462 v.  
Raymundo M., Appellant  
Petition for review DENIED.

4th Dist. International Truck and Engine Corporation, Appellant  
D036915 v.  
Div. 1 California Air Resources Board et al., Respondents  
S102312 Petition for review DENIED.  
The request for an order directing publication of the opinion is denied.

4th Dist. People, Appellant  
D037134 v.  
Div. 1 Matthew C. Rothbart, Respondent  
S103258 Petition for review DENIED.

4th Dist. People, Respondent  
D037363 v.  
Div. 1 Nehemiah Jeff Fisher, Appellant  
S103341 Petition for review DENIED.

4th Dist. Linda Hawkes, Respondent  
D037530 v.  
Div. 1 Ervin Sommer, Appellant  
S103441 Petition for review DENIED.

4th Dist. People, Respondent  
D038005 v.  
Div. 1 Edward Arberry, Appellant  
S103230 Petition for review DENIED.

4th Dist. In re Ricky Lowell Weaver  
D038834 on  
Div. 1 Habeas Corpus  
S102385 Petition for review DENIED.

4th Dist. People, Respondent  
D038987 v.  
Div. 1 Debra Ann Beenfeldt, Appellant  
S102672 Petition for review DENIED.

4th Dist. People, Respondent  
E026718 v.  
Div. 2 Lisa James et al., Appellants  
S102241 Petitions for review DENIED.

4th Dist. People, Respondent  
E026946 v.  
Div. 2 Brian Ray Brazile, Appellant  
S103006 Petition for review DENIED.

4th Dist. People, Respondent  
E027403 v.  
Div. 2 Daunte Lamont Thompson, Appellant  
S103077 Petition for review DENIED.

4th Dist. People, Respondent  
E027417 v.  
Div. 2 Emil Parrish Durant et al., Appellants  
S103083 Petitions for review DENIED.

4th Dist. People, Petitioner  
E028029 v.  
E028182 San Bernardino County Superior Court, Respondent  
Div. 2 Christopher Olmeda et al., Real Parties in Interest  
S102624 Petition for review DENIED.  
Kennard, J., and Moreno, J., are of the opinion the petition  
should be granted.

4th Dist. People, Respondent  
E028043 v.  
Div. 2 Darlene Marlo Bourk, Appellant  
S103307 Petition for review DENIED.

4th Dist. People, Respondent  
E028435 v.  
E028744 Daniel Ray Thomas, Appellant  
Div. 2 -----  
S103435 In re Daniel Ray Thomas on Habeas Corpus  
Petition for review DENIED.

4th Dist. People, Respondent  
E028505 v.  
Div. 2 Francisco Hernandez, Appellant  
S103235 Petition for review DENIED.

4th Dist. People, Respondent  
E028529 v.  
Div. 2 Jose Isabel Magana-Quintana, Appellant  
S103313 Petition for review DENIED.

4th Dist. In re Carl F., a Person Coming Under the Juvenile Court Law  
E028624 -----  
Div. 2 People, Respondent  
S103308 v.  
Carl F., Appellant  
Petition for review DENIED.

4th Dist. People, Appellant  
E028746 v.  
Div. 2 Rickie Parks, Respondent  
S103010 Petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.



4th Dist. E028785 Div. 2 S103465	People, Respondent v. Ricardo Leal Rodriguez, Appellant Petition for review DENIED.
4th Dist. E029011 Div. 2 S103360	In re Roderick J., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Roderick J., Appellant Petition for review DENIED.
4th Dist. E029012 Div. 2 S103368	People, Respondent v. William Meek Martin, Appellant Petition for review DENIED.
4th Dist. E029719 Div. 2 S103314	In re Kevin E., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Kevin E., Appellant Petition for review DENIED.
4th Dist. E029739 Div. 2 S103432	Y. P. Chien, Appellant v. Robert G. Brutoco et al., Respondents Petition for review DENIED.
4th Dist. E029843 Div. 2 S103475	Tristan Ellsworth et al., Minors, etc., Appellants v. County of Orange et al., Respondents Petition for review DENIED.
4th Dist. E030253 Div. 2 S102893	People, Petitioner v. San Bernardino County Superior Court, Respondent David Louis Rust, Real Party in Interest Petition for review DENIED.

4th Dist. Cesar Daluz Pelgone, Petitioner  
E030844 v.  
Div. 2 Riverside County Superior Court, Respondent  
S103797 People, Real Party in Interest  
The request for judicial notice is granted.  
Application for stay and petition for review DENIED.

4th Dist. Kwang-Wei Han, Appellant  
G024328 v.  
Div. 3 Bruce Samuelson, Respondent  
S103518 Petition for review DENIED.

4th Dist. Kwang-Wei Han, Petitioner  
G024693 v.  
Div. 3 Bradley R. Kirk, Respondent  
S103519 Petition for review DENIED.

4th Dist. People, Respondent  
G025711 v.  
Div. 3 Eduardo McKnight, Appellant  
S103300 Petition for review DENIED.

4th Dist. In re the Marriage of Aazam and Keyghobad Gitibin  
G025718 -----  
Div. 3 Aazam Gitibin, Appellant  
S103489 v.  
Keyghobad Gitibin, Respondent

4th Dist. In re the Marriage of Aazam and Keyghobad Gitibin  
G025719 -----  
Div. 3 Aazam Gitibin, Appellant  
S103497 v.  
Keyghobad Gitibin, Respondent  
Petition for review DENIED.

4th Dist. Paul William Jensen, Appellant  
G026133 v.  
Div. 3 Sylvan B. Aronson, Respondent  
S103288 Petition for review DENIED.

4th Dist. G026922 Div. 3 S103212	People, Respondent v. Agustin Herrera Ruelas, Appellant Petition for review DENIED.
4th Dist. G027030 Div. 3 S102721	People, Respondent v. Frank Eric Mendoza et al., Appellants Petitions for review DENIED. Kennard, J., is of the opinion the petition should be granted.
4th Dist. G027450 Div. 3 S103249	People, Respondent v. Joseph Paul Provenza, Appellant Petition for review DENIED.
4th Dist. G027630 Div. 3 S103359	People, Respondent v. Nicklos Recio, Appellant Petition for review DENIED.
4th Dist. G027713 Div. 3 S103414	Pacific Coast Partners, Appellant v. United Enterprises Ltd., Respondent Petition for review DENIED.
4th Dist. G027935 Div. 3 S103392	Conservatorship of the Person and Estate of Steven Dimassa ----- Orange County Public Guardian, Respondent v. Steven Dimassa, Appellant Petition for review DENIED.
4th Dist. G028379 Div. 3 S102487	Thai Bao Tran, Petitioner v. Orange County Superior Court, Respondent People, Real Party in Interest Petition for review DENIED. The request for an order directing depublication of the opinion is denied.

4th Dist. Mildred Conlan et al., Appellants  
G028433 v.  
Div. 3 Susan Kruegel, Respondent  
S103527 Petition for review DENIED.

4th Dist. In re Anthony F., a Person Coming Under the Juvenile Court Law  
G028779 -----  
Div. 3 Orange County Social Services Agency, Plaintiff and Respondent  
S102966 v.  
Regina F. et al., Defendants and Appellants  
Petition for review DENIED.

5th Dist. People, Respondent  
F033899 v.  
S103081 Andre Baiza, Appellant  
Petition for review DENIED.  
Baxter, J., was recused and did not participate.  
Kennard, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent  
F034337 v.  
S103007 Danny Tyrone Willis et al., Appellants  
Petition for review DENIED.

5th Dist. People, Respondent  
F034403 v.  
S103405 Gregory Ivan Reich, Appellant  
Petition for review DENIED.

5th Dist. People, Respondent  
F034496 v.  
S103467 Willis Robert Hatler, Appellant  
Petition for review DENIED.

5th Dist. People, Respondent  
F034525 v.  
S103498 Carlos Paredes, Appellant  
Petition for review DENIED.

5th Dist. People, Respondent  
F035217 v.  
S103257 David Curtis Adams, Appellant  
Petition for review DENIED.  
Kennard, J., is of the opinion the petition should be granted.

5th Dist. People, Respondent  
F035407 v.  
S103312 Emmett Earl Dodd, Appellant  
Petition for review DENIED.

5th Dist. People, Respondent  
F035490 v.  
S103342 Jimmy Lee Johnson, Appellant  
Petition for review DENIED.  
Baxter, J., was recused and did not participate.

5th Dist. People, Respondent  
F035666 v.  
S103202 Kerry Wade Krauss, Appellant  
Petition for review DENIED.  
Baxter, J., was recused and did not participate.

5th Dist. People, Respondent  
F035778 v.  
S103437 Fredrick Thomas O'Neil, Appellant  
Petition for review DENIED.

5th Dist. People, Respondent  
F035826 v.  
S103389 Donald Jay Griffin II, Appellant  
Petition for review DENIED.

5th Dist. Rumaldo Leon Rojas, Appellant  
F036528 v.  
S103464 U.S. Borax, Incorporated, Respondent  
Petition for review DENIED.

5th Dist. People, Respondent  
F036889 v.  
S103448 Janet Lynne Hale, Appellant  
Petition for review DENIED.

5th Dist. F036960 S103320	People, Respondent v. Pamela Gale Hawkes, Appellant Petition for review DENIED. Baxter, J., was recused and did not participate.
5th Dist. F037595 S103385	People, Respondent v. David Duran, Appellant Petition for review DENIED.
6th Dist. H020999 S103537	People, Respondent v. Donald Clark Betancourt et al., Appellants Petitions for review DENIED.
6th Dist. H021001 S103361	People, Respondent v. Chuong Huu Pham et al., Appellants Petitions for review DENIED.
6th Dist. H021061 S102990	In re Angelica T., a Person Coming Under the Juvenile Court Law ----- People, Respondent v. Angelica T., Appellant Petition for review DENIED.
6th Dist. H021267 S102836	People, Respondent v. Saul Ramirez Soto et al., Appellants Petitions for review DENIED.
6th Dist. H021377 S103397	Marleen Santana, Appellant v. Women's Workout and Weight Loss Centers, Inc., Respondent Petition for review DENIED.
6th Dist. H021657 S103229	People, Respondent v. Cornelius Robinson, Appellant Petition for review DENIED.

6th Dist. People, Respondent  
H021751 v.  
S102988 Mauricio Urbina Leos, Appellant  
Petition for review DENIED.  
Kennard, J., and Moreno, J., are of the opinion the petition  
should be granted.

6th Dist. People, Respondent  
H021758 v.  
S103353 Albert Murphy, Appellant  
Petition for review DENIED.

6th Dist. People, Respondent  
H021816 v.  
H023053 Eddie Cordova Lopez, Appellant  
S102829 -----  
In re Eddie Cordova Lopez on Habeas Corpus  
Petition for review DENIED.

6th Dist. In re Noah C., a Person Coming Under the Juvenile Court Law  
H021993 -----  
H023313 People, Respondent  
H022104 v.  
H023346 Noah C., Appellant  
S103200 And Companion Cases  
Petitions for review DENIED.

6th Dist. People, Respondent  
H022040 v.  
S103357 Tam D. Nguyen, Appellant  
Petition for review DENIED.

6th Dist. People, Respondent  
H022294 v.  
S103362 Alonzo Lee Taylor, Appellant  
Petition for review DENIED.

1st Dist. Ernest M. Thayer et al., Respondents  
A090429 v.  
Div. 2 Wells Fargo Bank, Appellant  
S102539 The request for an order directing depublication of the opinion in  
the above-entitled appeal is denied.  
Baxter, J., was recused and did not participate.

2nd Dist. Geoff Westen, Appellant  
B141786 v.  
Div. 3 Farmers Insurance Group of Companies, Respondent  
S103174 The request for an order directing publication of the opinion in  
the above-entitled appeal is denied.

2nd Dist. William Lucas, Appellant  
B142893 v.  
Div. 7 Stephen J. Volpe, Appellant  
S102807 The request for an order directing publication of the opinion in  
the above-entitled appeal is denied.

2nd Dist. Mark Pollock, Petitioner  
B150627 v.  
Div. 1 Los Angeles County Superior Court, Respondent  
S103325 Northwestern Mutual Life Insurance Company,  
Real Party in Interest  
The request for an order directing depublication of the opinion in  
the above-entitled appeal is denied.

2nd Dist. In re Edward James Willard  
B151797 on  
Div. 2 Habeas Corpus  
S101786 The request for an order directing publication of the opinion in  
the above-entitled appeal is denied.

3rd Dist. Yuba Group Against Garbage et al., Respondents  
C037208 v.  
S103415 Yuba County Board of Supervisors et al., Appellants  
Yuba-Sutter Disposal, Real Party in Interest and Appellant  
The request for an order directing publication of the opinion in  
the above-entitled appeal is denied.



5th Dist. People, Respondent

F034274 v.

S103593 Wanda Marie Donaldson, Appellant

The request for an order directing depublication of the opinion in the above-entitled appeal is denied.

Baxter, J., was recused and did not participate.

S019697 People, Respondent

v.

Carmen Lee Ward, Appellant

Good cause appearing, and based upon counsel Robert Franklin Howell's representation that he anticipates filing the appellant's opening brief by June 1, 2002, counsel's request for an extension of time in which to file that brief is granted to April 2, 2002. After that date, only one further extension totaling 60 additional days is contemplated.

S031423 People, Respondent

v.

Gregory Allen Sturm, Appellant

Good cause appearing, and based upon Deputy Attorney General Karl T. Terp's representation that he anticipates filing the respondent's brief by May 5, 2002, counsel's request for an extension of time in which to file that brief is granted to April 2, 2002. After that date, only one further extension totaling 30 additional days is contemplated.

S032146 People, Respondent

v.

Joseph Martin Danks, Appellant

Good cause appearing, and based upon Deputy Attorney General Lloyd G. Carter's representation that he anticipates filing the respondent's brief by April 9, 2002, counsel's request for an extension of time in which to file that brief is granted to April 9, 2002. After that date, no further extension is contemplated.

S037006 People, Respondent

v.

Michael James Huggins, Appellant

Good cause appearing, and based upon Deputy Attorney General Allan Yannow's representation that he anticipates filing the respondent's brief by April 8, 2002, counsel's request for an extension of time in which to file that brief is granted to April 8, 2002. After that date, no further extension is contemplated.

S048440 People, Respondent

v.

Christopher Charles Lightsey, Appellant

Good cause appearing, and based upon Deputy State Public Defender Erik N. Larson's representation that he anticipates filing the request for correction of the record by March 10, 2002, counsel's request for an extension of time in which to request correction of the record in the superior court is granted to March 11, 2002.

Counsel for appellant is ordered to serve a copy of the record correction motion on this court upon its filing in the superior court.

S089357 In re Kristin William Hughes

on

Habeas Corpus

Good cause appearing, and based upon Deputy Attorney General Morris Lenk's representation that he anticipates filing the informal response to the petition for writ of habeas corpus within 14 days after this court rules upon the pending motion by respondent for access to "Penal Code section 987.9 information," counsel's request for an extension of time in which to file that brief is granted to March 11, 2002.

S092757 In re Willie Branner

on

Habeas Corpus

Good cause appearing, and based upon counsel David Eiseman's representation that he does not anticipates filing the reply to informal response before March 29, 2002, counsel's request for an extension of time in which to file that brief is granted to March 1, 2002. After that date, only one further extension totaling 31 additional days is contemplated.

S099231      In re Clifford Stanley Bolden  
                 on  
                 Habeas Corpus

Good cause appearing, and based upon Deputy Attorney General Frances Marie Dogan's representation that she anticipates filing informal response by April 12, 2002, counsel's request for an extension of time in which to file that brief is granted to March 6, 2002. After that date, only one further extension totaling 37 additional days is contemplated.

S102580      In re Richard Bert Stewart  
                 on  
                 Habeas Corpus

Good cause appearing, counsel's request for an extension of time in which to file the informal response is granted to March 6, 2002. The court anticipates that after that date, only seven further extensions totaling 210 additional days will be granted.

S103000      In re Kevin Bernard Haley  
                 on  
                 Habeas Corpus

Good cause appearing, and based upon Deputy Attorney General Sharlene Honnaka's representation that she anticipates filing the informal response by the fourth week of March 2002, counsel's request for an extension of time in which to file that brief is granted to February 21, 2002. After that date, only two further extensions totaling 36 additional days are contemplated.

S012944      People, Respondent  
                 v.  
                 Richard Ramirez, Appellant

In light of the fact that the Attorney General has withdrawn its opposition to appellant's request to augment the record on appeal, and has provided a declaration authenticating the documents in question, appellant's motion to augment the record on appeal to include the felony complaint dated September 3, 1985, and the Notice of Motion and Motion to Challenge the Composition of Los Angeles County Superior Court Central District Juries and to Quash All Existing Jury Panels filed in *People v. Richard Ramirez*, Los Angeles Superior Court case number A771272 is granted.

S014394 People, Respondent

v.

Fermin Rodriguez Ledesma, Appellant

Appellant's "Motion for Appointment of Special Counsel to Represent Fermin Rodriguez Ledesma for the Limited Purpose of Advising Him Concerning Potential and/or Actual Conflicts of Interest of Court-Appointed Appellate-Habeas Counsel," filed on January 14, 2002, is denied.

S020161 People, Respondent

v.

Tauno Waidla, Appellant

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Tauno Waidla, filed December 21, 2001, is granted.

The order appointing Eric S. Multhaup as counsel of record for condemned prisoner Tauno Waidla, filed May 10, 1995, is hereby vacated.

The Federal Public Defender for the Central District of California is hereby appointed attorney of record for condemned prisoner Tauno Waidla. Counsel is appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S046176 People, Respondent

v.

Glen Cornwell, Appellant

Appellant's request for removal and replacement of appointed appellate counsel, filed November 9, 2001, is denied.

S089357 In re Kristin W. Hughes

on

Habeas Corpus

Respondent's application for release of Penal Code section 987.9 funding records is granted. Pursuant to Penal Code section 987.9, subdivision (d), the clerk is directed to provide to the Attorney General a copy of the Supplemental Clerk's Transcript, pages 132-321. Also pursuant to the statute, the transcript shall remain under seal.

S104096      Luis Lindemann, Petitioner

v.

Los Angeles County Superior Court, Respondent

People, Real Party in Interest

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

Bar  
Misc.  
4186

In the Matter of the Application of the Committee of Bar Examiners of the State of California for Admission of Attorneys

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(LIST OF NAMES ATTACHED TO ORIGINAL ORDER)

S101341      In re **Justin R. Dahlz** on Discipline

Petition for writ of review DENIED.

It is ordered that **Justin R. Dahlz, State Bar No. 139783**, be suspended from the practice of law in the State of California for four years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, present fitness to practice, and present learning and ability in the general law in accordance with standard 1.4(c)(ii) of the Standards for Attorney Sanctions for Professional Misconduct; that execution of the four-year suspension be stayed; and that Dahlz be placed on probation for four years subject to the conditions of probation, including a one-year period of actual suspension, recommended by the Review Department of the State Bar Court in its opinion filed on July 9, 2001. Furthermore, Dahlz is ordered to comply with rule 955 of the California Rules of Court and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.\* Costs are awarded to the State Bar in accordance with Business & Professions Code section 6086.10 and payable in accordance with Business & Professions Code section 6140.7.

\*(See Bus. and Prof. Code, § 6126, subd. (c).)

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## Inquiry Concerning Judge James I. Aaron, No. 164

Upon the request of the Commission on Judicial Performance for the appointment of three special masters in the above proceedings, the following judges, selected by the commission from a list submitted by the Supreme Court, are hereby appointed special masters to hear and take evidence in such matter and report thereon to the commission. (See rule 121, Rules of Com. on Jud. Performance.)

1. Honorable Gilbert Nares  
Court of Appeal, Fourth Appellate District, Division One.
  2. Honorable Dennis G. Cole  
Superior Court of San Bernardino County
  3. Honorable Talmadge R. Jones  
Superior Court of Sacramento County
- Associate Justice Nares is designated presiding special master.  
Baxter, J., did not participate in the consideration of this matter.

Dated: February 13, 2002

Ronald M. George  
Chief Justice of California and  
Chairperson of the Judicial Council

